REMARKS

Status of the Claims

Claims 1-36 are pending in the application, Claims 1, 3, 15, 17, 28, 30, and 33 having been amended to more clearly define the claimed subject matter, and Claims 9, 12 and 33 having been amended to correct the structure of the claims with regards to the specific steps of the claims.

Claims Rejected under 35 U.S.C. § 103(a)

The Examiner has rejected Claims 28, 30-33, and 35-36 as being unpatentable over Rubin et al. (U.S. Patent No. 6,393,443 hereinafter referred to as "Rubin") and "Class Display" by Leemon Baird (hereinafter referred to as "Class Display").

In addition, the Examiner has rejected Claims 29 and 34 under 35 U.S.C. § 103(a) as being unpatentable over Rubin, further in view of "The Portable Executable File Format" by Johannes Plachy (hereinafter referred to as "Plachy"), and further in view of Class Display.

The Examiner has rejected Claims 1, 3-15, and 17-27 under 35 U.S.C. § 103(a) as being unpatentable over Rubin, further in view of Frank et al. (U.S. Patent No. 5,651,107 hereinafter referred to as "Frank"), and further in view of Class Display.

Furthermore, the Examiner has rejected Claims 2 and 16 under 35 U.S.C. § 103(a) as being unpatentable over Rubin, further in view of Frank and the "Microsoft Computer Dictionary Fifth Edition," by Microsoft Press (hereinafter referred to as "Microsoft"), and further in view of Class Display. Applicants respectfully disagree with each of these rejections, for the reasons noted below.

In the interest of reducing the complexity of the issues for the Examiner to consider in this response, the following discussion focuses on independent Claims 28, 33, 1, and 15 (in that order). The patentability of each dependent claim is not necessarily separately addressed in detail. However, applicants' decision not to discuss the differences between the cited art and each dependent claim should not be considered as an admission that applicants concur with the Examiner's conclusion that these dependent claims are not patentable over the cited references. Similarly, applicants' decision not to discuss differences between the prior art and every claim element, or every comment made by the Examiner, should not be considered as an admission that applicants concur with the Examiner's interpretation and assertions regarding those claims. Indeed, applicants believe that all of the dependent claims patentably distinguish over the references cited. However, a specific traverse of the

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rejection of each dependent claim is not required, since dependent claims are patentable for at least the same reasons as the independent claims from which the dependent claims ultimately depend.

Discussion of the Patentability of Independent Claim 28

Significant differences exist between applicants' claimed subject matter and the cited art because the cited art does not teach or suggest the recitation of applicants' step (c) that is directed to invalidating an update region of the electronic display, wherein the update region is defined as a function of the cursor location in the electronic display.

In its entirety, applicants' step (c) (as amended) recites:

> invalidating the update region of the electronic display such that the operating system output module is forced to re-render the data to the update region of the electronic display; and

The Examiner asserts that Rubin and Class Display disclose all of the recitation in applicants' steps (b), (c), and (d), and in support of his assertion (note that the portion cited by the Examiner is highlighted in bold font), cites:

> There is also provided in accordance with a preferred embodiment of the present invention a computerized translator including:
>
> **a character recognition module which is operative to detect a string of characters displayed at a first region on a display which is selected by a user, and to determine, in the string of characters, a word written in a first language;**
>
> **a computerized dictionary data base; and**
>
> **a processor coupled to the character recognition module and to the computerized dictionary data base, and operative to determine whether there is an entry for the word in the computerized dictionary data base,** to retrieve from the computerized dictionary data base a translated word, representing a translation of the word in a second language, and to display the translated word at a second region on the display (Rubin, column 4, lines 27-43).

Furthermore, the Examiner concedes that Rubin does not explicitly teach re-rendering of the same data, although Rubin discloses the process of rendering data. The Examiner asserts that this step of rendering to include the display of the new cursor location is in fact a well known repaint process that is common in windows systems to update the display to include the cursor location with the data being re-rendered. The Class Display is cited by the Examiner as teaching a display system where an output means allows for re-rendering of data to the update of the region, wherein the data already displayed are re-rendered or refreshed as per common operating system processes for the displaying of information. The Examiner specifically cites page 5, lines 18-22 of Class Display. The

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Examiner concludes that it would have been obvious to one skilled in the art at the time of the invention to learn from Class Display to re-render the same data to update the region of the display. Class Display and the re-render features refer to a refresh or repaint feature that is well known in displaying data by operating systems. The re-rendering of the same data is done, wherein the data displayed is refreshed and re-rendered to the display. This feature is merely referring to a repaint feature used in re-rendering the same data. The Examiner asserts that it would have been obvious to one skilled in the art at the time of the invention, to learn from Class Display to re-render the same data to update the region of the display.

Assuming, *arguendo*, that the Examiner's assertion that Class Display discloses re-rendering is correct, the cited art still does not teach or suggest that an update region of the electronic display is invalidated, as recited in applicants' step (c). Under the section entitled, "Response to Arguments" in the current Office Action dated December 12, 2005, the Examiner states that applicants' arguments filed September 26, 2005 have been fully considered but are moot in view of the new grounds of rejection. Apparently this new ground of rejection is Class Display that the Examiner asserts discloses re-rendering. Nevertheless, because the combination of newly cited art still does not teach or suggest all of applicants' claim recitation, applicants respectfully resubmit the argument submitted in response to the previous Office Action, i.e., the response dated September 26, 2005. Further, applicants request that the Examiner respond to this argument pertaining to one of the key differences between the recitation of applicants' independent Claim 1 and the cited art in order to further advance prosecution. It is applicants' position that the failure of the cited art to teach or suggest the step of invalidating the update region of an electronic display shows that the claimed subject matter is novel and non-obvious and is therefore patentable.

Under the section entitled, "Response to Arguments in the Office Action," from the Office Action dated July 01, 2005, the Examiner asserted that Rubin determines the location of a cursor on a display, and indicates that upon making this determination, the area is invalidated based on information that is displayed there. The Examiner notes that Rubin discloses:

> Once the text is displayed on the display, the user may place a mouse pointer (not shown in a FIG. 1) at a region on the display, such as the first region on the display. If the mouse pointer is placed to point the first region, and is not moved for a pre-selected period of time, such as for 5 seconds, the contents of the first region is preferably **analyzed** as described hereinafter. (Emphasis added, Rubin, column 9, lines 39-46).

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With respect to one portion of step (b), i.e., that the update region is defined as a function of the cursor location in the electronic display, the Examiner appears to be asserting from the column 9 citation that applicants' update region is equivalent to Rubin's first region, which is a function of cursor location, because placing a mouse pointer at a region and not moving it for a specific interval of time causes the first region of the electronic display ***to be analyzed*** in Rubin. Even if, *arguendo*, the Examiner is correct in reaching the conclusion that Rubin discloses an equivalent to applicants' step (b), with respect to the recitation of step (c), i.e., that the update region of the electronic display is invalidated, clearly, Rubin fails to teach or suggest that the first region is invalidated. The Examiner has not explained any basis for asserting that *analyzing* Rubin's first region is equivalent to *invalidating* applicants' update region.

"Invalid" means erroneous or unrecognizable because of a flaw in reasoning or an error in input (Microsoft Computer Dictionary, Fourth Edition). As discussed in greater detail below, the meaning of applicants' term "invalidating" is also apparent from the language of steps (b) and (c) in applicants' Claim 28. "Invalidating" is an action applied to an update region, as recited in step (c) such that the operating system output module ***is forced*** to re-render the data to the update region. Thus, an event is occurring in the update region, and the system is being forced to re-render the data to the electronic display in the update region.

In contrast to *invalidating*, Rubin simply teaches *analyzing* a portion of the first region of the electronic display, as is evident in column 9 of this cited art. Specifically, Rubin teaches that analysis involves determining what is contained in the first region. If the first region is a blank area, a message stating "NO TEXT HERE" is displayed at the second region on the display (Rubin, column 9, lines 47-48). In the alternative, if text is found, the text is analyzed to determine the existence of a string of characters (Rubin, column 9, lines 59-62) via a character recognition module. Thus, the detected characters are recognizable as words or phrases (Rubin, column 10, lines 3-5). If a word cannot be found in the databases (such as a dictionary, thesaurus, and a misspelled word dictionary), a message (i.e., a term corresponding to the analytical results) is displayed reciting that no entry is available for this word (column 10, lines 21-24), and no further *analysis* of the word is performed. If the word is found in the misspelled word dictionary, a message indicating that the word is misspelled is preferably displayed at a second region (Rubin, column 10, lines 26-28). Thus, analyzing the first region wherein the analytical results from a database are provided in the form of a

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message is not equivalent to invalidating (i.e., forcing an error to be asserted to cause a re-rendering) in the update region. Accordingly, the rejection of independent Claim 28 under 35 U.S.C. § 103(a) over Rubin and further in view of Class Display should be withdrawn for the reasons given above, since the cited art does not teach or suggest all of the recitation of independent Claim 28.

Claims 30-32 ultimately depend from independent Claim 28. Because dependent claims inherently include all of the steps or elements of the independent claim from which the dependent claims ultimately depend, dependent Claims 30-32 are patentable for at least the same reasons discussed above with regard to independent Claim 28. Accordingly, the rejection of dependent Claims 30-32 under 35 U.S.C. § 103(a) over Rubin and further in view of Class Display should be withdrawn.

Patentability of Independent Claim 33

Independent Claim 33 is directed to a system for capturing data displayed near a cursor location and recites a subparagraph (c)(iii) that is similar to step (c) of independent Claim 28, as discussed above. The Examiner has rejected this claim for the same reasons as set forth in the rejection of independent Claim 28. Thus, for reasons similar to those given above in connection with applicants' traverse of the rejection of independent Claim 28, independent Claim 33 distinguishes over Rubin and Class Display, because the cited art does not teach invalidating the update region of the electronic display, wherein the update region is defined as a function of the cursor location in the electronic display such that the operating system output module is forced to re-render the data to the update region of the electronic display. Accordingly, the rejection of independent Claim 33 under 35 U.S.C. § 103(a) over Rubin and Class Display should be withdrawn.

Claims 35-36 ultimately depend from independent Claim 33. Because dependent claims inherently include all of the steps or elements of the independent claims from which the dependent claims ultimately depend, dependent Claims 35-36 are patentable for at least the same reasons discussed above with regard to independent Claim 33. Therefore, the rejection of dependent Claims 35-36 under 35 U.S.C. § 103(a) over Rubin and Class Display should be withdrawn.

Patentability of Independent Claim 1

Independent Claim 1 is directed to a method for automatically delivering electronic content related to text appearing in a display.

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The Examiner asserts that Rubin teaches the steps of Claim 1 and in support of his assertion, cites FIGURE 3 and column 1, lines 39-50 of Rubin. He also cites Frank in support of his assertion that although Rubin does not teach displaying the results in a semitransparent window that is persistently visible, Frank teaches displaying data in semitransparent windows in Figure 8.

In addition, the Examiner concedes that Rubin does not explicitly teach re-rendering of the same data, although Rubin discloses rendering data. The Examiner asserts that the step of rendering to include the display of the new cursor location is a well known repaint process common in windows systems to update the display to include the cursor location with the data being re-rendered. "Class Display" teaches a display system where an output means provides for re-rendering data to the update region, wherein the data already displayed is re-rendered or refreshed as per common operating system processes for the displaying of information. The Examiner cites page 5, lines 18-22 of Class Display. Thus, the Examiner concludes it would have been obvious to one skilled in the art at the time of the invention to learn from Class Display to re-render the same data to update the region of the display. Class Display and the re-render features refer to a refresh or repaint feature that is well known in displaying data by operating systems. The re-rendering of the same data is done, wherein the data displayed is refreshed and re-rendered to the display. This feature is merely referring to a repaint feature used in re-rendering the same data. Hence, it would have been obvious to one skilled in the art at the time of the invention to learn from Class Display to re-render the same data to update the region of the display.

As currently amended, independent Claim 1 generally includes a step from dependent Claim 3 directed towards invalidating the update region, wherein the update region is defined as a function of the cursor location. For the reasons given above in connection with the traverse of the rejection of independent Claim 28, the cited art does not teach or suggest invalidating the update region such that a target process associated with the target window is caused to re-render the text to the target window in the update region that includes the cursor location. Accordingly, the rejection of independent Claim 1 under 35 U.S.C. § 103(a) over Rubin and further in view of Frank and Class Display should be withdrawn, since Rubin and Frank and Class Display do not teach or suggest all of the recited steps of independent Claim 1.

Claims 3-14 ultimately depend from independent Claim 1. Because dependent claims inherently include all of the steps or elements of the independent claim from which the dependent

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claims ultimately depend, dependent Claims 3-14 are patentable for at least the same reasons discussed above with regard to independent Claim 1. Accordingly, the rejection of dependent Claims 3-14 under 35 U.S.C. § 103(a) over Rubin, further in view of Frank, and Class Display should be withdrawn.

Rejection of Independent Claim 15

Independent Claim 15 is directed to a system for automatically delivering electronic content related to text appearing in a display and recites a function (e)(ii), which is similar to step (c) of independent Claim 28. Thus, for reasons similar to those noted above in connection with independent Claim 28, independent Claim 15 distinguishes over Rubin, further in view of Frank, and Class Display, because the cited art does not teach or suggest to invalidate an update region, wherein the update region is defined as a function of the cursor location, such that a target process associated with the target window is caused to re-render the text to the target window in the update region of the display that includes the cursor location disposed proximate to the text being re-rendered. Accordingly, the rejection of independent Claim 15 under 35 U.S.C. § 103(a) over Rubin, further in view of Frank, and Class Display should be withdrawn, since the cited art does not teach or suggest the recitation of independent Claim 15.

Claims 17-27 ultimately depend from independent Claim 15. Because dependent claims inherently include all of the steps or elements of the independent claim from which the dependent claims ultimately depend, dependent Claims 17-27 are patentable for at least the same reasons discussed above with regard to independent Claim 15. Accordingly, the rejection of dependent Claims 17-27 under 35 U.S.C. § 103(a) over Rubin, further in view of Frank, and Class Display should be withdrawn.

Rejection of Dependent Claims 29 and 34

Claims 29 and 34 ultimately depend from independent Claims 28 and 33, respectively. Because dependent claims inherently include all of the steps or elements of the independent claim from which the dependent claims ultimately respectively depend, dependent Claims 29 and 34 are patentable for at least the same reasons discussed above with regard to independent Claims 28 and 33. Accordingly, the rejection of dependent Claims 29 and 34 under 35 U.S.C. § 103(a) over Rubin and further in view of Plachy and Class Display should be withdrawn.

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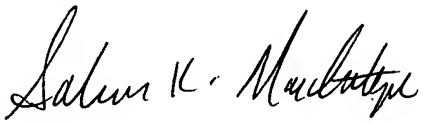
Rejection of Dependent Claims 2 and 16

Claims 2 and 16 ultimately depend from independent Claims 1 and 15, respectively. Because dependent claims inherently include all of the steps or elements of the independent claims from which the dependent claims ultimately respectively depend, dependent Claims 2 and 16 are patentable for at least the same reasons discussed above with regard to independent Claims 1 and 15. Accordingly, the rejection of dependent Claims 2 and 16 under 35 U.S.C. § 103(a) over Rubin, further in view of Frank, and further in view of Microsoft and Class Display should be withdrawn.

In view of the Remarks set forth above, it will be apparent that the claims remaining in this application define a novel and non-obvious invention, and that the application is in condition for allowance and should be passed to issue without further delay. Should any further questions remain, the Examiner is invited to telephone applicants' attorney at the number listed below.

Respectfully submitted,



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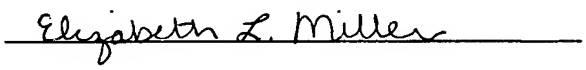

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